**IN THE HIGH COURT OF JUDICATURE OF BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

COMPANY PETITION NO.128 OF 2005
CONNECTED WITH
COMPANY APPLICATION NO.4 OF 2005

Garware Chemicals Ltd. .. Petitioner.

Mr.N.G.Pandya for petitioner.
Mr.C.J.Joy with R.C.Master & Mr. M.M.Goswami i/b.
Dr.T.C.Kaushik for Regional Director.

**CORAM: A.M.KHANWILKAR,J**

**DATE : AUGUST 5, 2005.**

**P.C. :**

1. Heard counsel for the parties.

2. Two objections have been raised on behalf of the Regional Director. First is that reference before BIFR has been made in respect of the company. Secondly, company has been declared as a 'Relief Undertaking'. It is fairly accepted by the counsel for the Regional Director that both these objections are answered.

3. In so far as, the first objection is concerned, that is answered against the regional director in the recent decision of Justice Kamdar, which position is fairly accepted by the counsel for

the Regional Director. In so far as, the second objection is concerned, there is no provision or Judgment, brought to my notice, declining company's request. If it is so, I find no justification in declining request of the company as prayed in this petition, as there is no objection forthcoming. Compliance of all other requirements have been made as is required.

4. Accordingly, Petition is made absolute in terms of prayer clause (a) subject to payment of cost quantified at Rs.2,500/- to the Regional director.